

DECLARATION FOR UTILITY PATENT APPLICATION

AS A BELOW-NAMED INVENTOR, I HEREBY DECLARE THAT:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: SYSTEM AND METHOD FOR PRICING AND ALLOCATION OF COMMODITIES OR SECURITIES, the specification of which is attached hereto unless the following box is checked:

☐ was filed on * as United States Application Serial No. or PCT International Application No. * and was amended on * (if applicable).

I HEREBY STATE THAT I HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICATION, INCLUDING THE CLAIMS, AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE.

I acknowledge the duty to disclose information which is material to the patentability as defined in 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

Application No.	Country	Date of Filing (day/month/year)	Priority Claimed?
			<input type="checkbox"/> Yes <input type="checkbox"/> No

I hereby claim benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Application Serial No.	Filing Date
60/187,800	8 March 2000

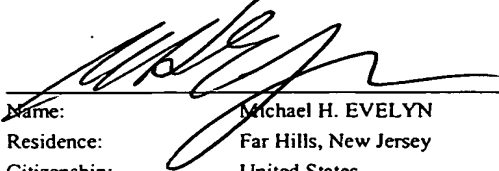
I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

Application Serial No.	Filing Date	Status
		<input type="checkbox"/> Patented <input type="checkbox"/> Pending <input type="checkbox"/> Abandoned

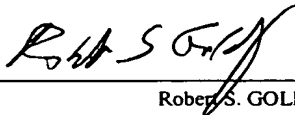
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United

States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.


9/15/00
Date


Name: Michael H. EVELYN
Residence: Far Hills, New Jersey
Citizenship: United States
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9/15/00
Date


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Residence: Brookville, New York
Citizenship: United States
Post Office Address: 17 Victorian Lane, Brookville, NY 11545

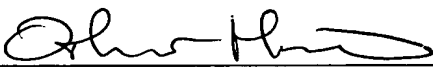
9-20-2000
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9-20-2000
Date


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Citizenship: United States
Post Office Address: 385 Capistrano Avenue, San Francisco, CA 94112

9/20/00
Date


Name: Othar HANSSON
Residence: Union City, California
Citizenship: United States
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9/16/00
Date


Name: Charles A. OCHERET
Residence: Scarsdale, New York
Citizenship: United States
Post Office Address: 46 Andrea Lane, Scarsdale, NY 10583

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

Express Mail Label No.: EL352557716US

Date of Deposit: 9/24/00, 2000

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.


Chase Trombella

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Michael H. EVELYN et al.

Serial No.: To Be Assigned

Filing Date: Herewith

For: SYSTEM AND METHOD FOR
PRICING AND ALLOCATION OF
COMMODITIES OR SECURITIES

Examiner: To Be Assigned

Group Art Unit: To Be Assigned

PROSECUTION BY ASSIGNEE AND POWER OF ATTORNEY
UNDER 37 C.F.R. § 3.71

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

W. R. Hambrecht & Co., LLC, the assignee of the entire right, title and interest in this patent application, under 37 C.F.R. § 3.71 hereby appoints:

Laurie A. Axford (Reg No. 35,053)
Joseph Barrera (Reg No. 44,522)
Shantanu Basu (Reg No. 43,318)
Frank P. Becking (Reg No. 42,309)
Kimberly A. Bolin (Reg No. 44,546)
Barry E. Bretschneider (Reg No. 28,055)
Nicholas Buffinger (Reg No. 39,124)
Mark R. Carter (Reg No. 39,131)
Peng Chen (Reg No. 43,543)
Thomas E. Ciotti (Reg No. 21,013)
Raj S. Davé (Reg No. 42,465)
Carolyn A. Favorito (Reg No. 39,183)
Hector Gallegos (Reg No. 40,614)
Kenneth R. Glick (Reg No. 28,612)
Peter Hsieh (Reg No. P-44,780)
Richard D. Jordan (Reg No. 33,519)

Sanjay S. Bagade (Reg No. 42,280)
Erwin J. Basinski (Reg No. 34,773)
Richard R. Batt (Reg No. 43,485)
Vincent J. Belusko (Reg No. 30,820)
Timothy J. Bortree (Reg No. 43,506)
Tyler S. Brown (Reg No. 36,465)
Jingming Cai (Reg No. P-44,579)
Robert K. Cerpa (Reg No. 39,933)
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Debra J. Glaister (Reg No. 33,888)
Charles D. Holland (Reg No. 35,196)
Madeline I. Johnston (Reg No. 36,174)
Ararat Kapouytian (Reg No. 40,044)

Richard C. Kim (Reg No. 40,046)
Rimas T. Lukas (Reg No. 46,451)
Gladys H. Monroy (Reg No. 32,430)
Kate H. Murashige (Reg No. 29,959)
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Paul J. Riley (Reg No. 38,596)
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Rebecca Shortle (Reg No. P47,083)
Stanley H. Thompson (Reg No. 45,160)
Todd W. Wight (Reg No. 45,218)
Frank Wu (Reg No. 41,386)
George C. Yu (Reg No. 44,418)
Jimmy Zhang (Reg No. P-47,201)

Kawai Lau (Reg No. 44,461)
Lisa E. Marks (Reg No. 44,901)
Philip A. Morin (Reg No. P-45,926)
Martin M. Noonan (Reg No. 44,264)
William C. Revelos (Reg No. 42,101)
Robert Saltzberg (Reg No. 36,910)
Terri Shieh-Newton (Reg No. P-47,081)
Kevin R. Spivak (Reg No. 43,148)
E. Thomas Wheelock (Reg No. 28,825)
Thomas G. Wiseman (Reg No. 35,046)
David T. Yang (Reg No. 44,415)
Karen R. Zachow (Reg No. P-46,332)

all of Morrison & Foerster LLP, 425 Market Street, San Francisco, California 94105-2482, telephone (415) 268-7000, to prosecute this application and transact all matters in the United States Patent and Trademark Office connected therewith, said appointment to be to the exclusion of the inventors and their attorneys in accordance with the provisions of 37 C.F.R. § 3.71 provided that if any one of said attorneys or agents ceases being affiliated with the law firm of Morrison & Foerster as partner, employee or of counsel, such attorney's or agent's appointment as attorney or agent and all powers derived therefrom shall terminate on the date such attorney or agent ceases being so affiliated.

Please direct all written communications relative to this application to:

Erwin J. Basinski
Morrison & Foerster LLP
425 Market Street
San Francisco, California 94105-2482

Please direct all telephone communications to Erwin J. Basinski at (415) 268-7144.

W. R. Hambrecht & Co., LLC
a Delaware corporation

Dated: September 21, 2000



Name: Bruce A. Mann
Title: Senior Managing Director
Address: 539 Bryant St., Suite 100
San Francisco, CA
94107

CERTIFICATE UNDER 37 C.F.R. § 3.73(b)

Docket No. 422232000300

In the application of: Michael H. EVELYN et al.
 Serial No.: To Be Assigned
 Filed: Herewith
 For: SYSTEM AND METHOD FOR PRICING AND ALLOCATION OF COMMODITIES OR SECURITIES

W. R. Hambrecht & Co., a limited liability corporation, certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel *, Frame *, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s) of the patent application identified above, to the current assignee as shown below:

1. From : *

To: *

The document was recorded in the Patent and Trademark Office at Reel *, Frame *, or for which a copy thereof is attached.

2. From : *

To: *

The document was recorded in the Patent and Trademark Office at Reel *, Frame *, or for which a copy thereof is attached.

3. From : *

To: *

The document was recorded in the Patent and Trademark Office at Reel *, Frame *, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

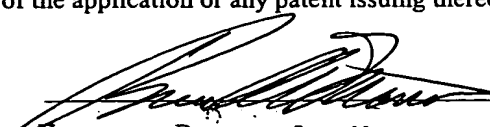
☒ Copies of assignments or other documents in the chain of title are attached.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: September 21, 2000


 Name: Bruce A. Mann
 Title: Senior Managing Director
 W.R. Hambrecht & Co., LLC

COPY

ASSIGNMENT
JOINT

THIS ASSIGNMENT, by Michael H. EVELYN, Robert S. GOLDBERG, Jordan M. HAYES, Cliff M. HAYES, Othar HANSSON, Charles A. OCHERET (hereinafter referred to as the assignors), residing at Far Hills, New Jersey, Brookville, New York, Berkeley, California, San Francisco, California, Union City, California and Scarsdale, New York, respectively, witnesseth:

WHEREAS, said assignors have invented certain new and useful improvements in SYSTEM AND METHOD FOR PRICING AND ALLOCATION OF COMMODITIES OR SECURITIES, set forth in an application for Letters Patent of the United States, having an oath or declaration executed on even date herewith; and




WHEREAS, W. R. Hambrecht & Co., LLC, a corporation duly organized under and pursuant to the laws of Delaware and having its principal place of business at 550 15th Street, San Francisco, CA 94103 (hereinafter referred to as the assignee) is desirous of acquiring the entire right, title and interest in and to said inventions and said application for Letters Patent of the United States, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon:

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient consideration, the receipt of which is hereby acknowledged, said assignors have sold, assigned, transferred and set over, and by these presents do sell, assign, transfer and set over, unto said assignee, its successors, legal representatives and assigns, the entire right, title and interest in and to the above-mentioned inventions, application for Letters Patent, and any and all Letters Patent or Patents in the United States of America and all foreign countries which may be granted therefor and thereon, and in and to any and all divisions, continuations and continuations-in-part of said application, or reissues or extensions of said Letters Patent or Patents, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by said assignee, for its own use and the use of its successors, legal representatives and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted, as fully and entirely as the same would have been held and enjoyed by the assignors, had this sale and assignment not been made.

AND for the same consideration, said assignors hereby covenant and agree to and with said assignee its successors, legal representatives and assigns, that, at the time of execution and delivery of these presents, said assignors are the sole and lawful owners of the entire right, title and interest in and to said inventions and the application for Letters Patent above-mentioned, and that the same are unencumbered and that said assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth.

AND for the same consideration, said assignors hereby covenant and agree to and with said assignee, its successors, legal representatives and assigns, that said assignors will, whenever counsel of said assignee, or the counsel of its successors, legal representatives and assigns, shall advise that any proceeding in connection with said inventions, or said application for Letters Patent, or any proceeding in connection with Letters Patent for said inventions in any country, including interference proceedings, is lawful and desirable, or that any division, continuation or continuation-in-part of any application for Letters Patent or any reissue or extension of any Letters Patent, to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of Letters Patent for said inventions, without charge to said assignee, its successors, legal representatives and assigns, but at the cost and expense of said assignee, its successors, legal representatives and assigns.

AND said assignors hereby request the Commissioner of Patents to issue said Letters Patent of the United States to said assignee as the assignee of said inventions and the Letters Patent to be issued thereon for the sole use of said assignee, its successors, legal representatives and assigns.

9/15/00	
Date	Michael H. EVELYN
9/15/00	
Date	Robert S. GOLDBERG
9-20/00	
Date	Jordan M. HAYES

9-20-2000

Date

9/20/00


Date

9/16/00

Date


Cliff M. GERRISH


Othar HANSSON


Charles A. OCHERET